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Sent: Monday, February 26, 2018 8:54 AM
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2/26/2018



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Dayton Daily News
www.daytondailynews.com

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NATIONAL CONFERENCE of STATE LEGISLATURES



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Also of Note...

This Week: Gun Control and Remembering the Rev. Billy Graham

Congress returned yesterday from its Presidents' Day recess, which was dominated by the issue of gun control. Since the Feb. 14 shooting at Stoneman Douglas High School in Parkland, Fla., the nation has been immersed in an intense debate on what to do to prevent future school shootings. However, don't expect Congress to act this week. While the Senate will be in session all week, the House will conclude business today to make way for the remembrance of Rev. Billy Graham, who will become only the fourth private citizen to lie in honor in the Capitol Rotunda on Wednesday and Thursday.

US Supreme Court Hears Arguments in Union Dues Case

Perhaps the most significant debate on Capitol Hill this week will take place yesterday in the U.S. Supreme Court. The decision could not only affect every member of a public sector union but also result in the largest shift in federal education policy in 40 years.

On Monday, the U.S. Supreme Court heard oral argument in Janus v. American Federation of State, County and Municipal Employees (AFSCME) Council 31. Mark Janus, a public-sector employee in Illinois, is challenging the constitutionality of a state statute allowing public sector employers and unions to agree that employees who don't join the union must still pay their "fair share" of collective bargaining costs. Janus argues that

requiring him to pay his "fair share" of union dues is a violation of his First Amendment free speech rights. Janus asserts he should have the choice to join or not join, pay or don't pay.

Since 1977, when the US Supreme Court ruled in Abood v. Detroit Board of Education, public employees subject to fair share agreements have been required to pay for union representation, even if the worker doesn't join the union.

It is estimated that *Janus v. AFSCME* could impact 5.5 million public sector employees. The ruling could alter the relationship between labor and management, nationwide union membership and dues collection. At present, 22 states authorize fair share for public sector employees.

The *Janus* decision may have an outsized impact on public education given that two of the three largest public sector unions in the nation relate to education—the National Education Association and the American Federation of Teachers. Employees in education had the highest unionization rate of all sectors, with 37.2 percent being represented by a union.

On Dec. 5, attorneys general in 20 states (Michigan, Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Missouri, Nebraska, Nevada, Oklahoma, South Carolina, Tennessee, Texas, Utah, West Virginia, and Wisconsin) filed an amicus curiae brief in support of Janus. On Jan. 19, attorneys general in 20 states (New York, Alaska, Connecticut, Delaware, Hawaii, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington) and the District of Columbia filed an amicus curiae brief in support of AFSCME.

In 2016, the U.S. Supreme Court considered a similar case Friedrichs v. California Teachers Union. With the death of Justice Antonin Scalia, the Court deadlocked with a 4-4 decision. Justice Gorsuch could be the swing vote to overturn *Abood*. A decision is expected by the end of June.

NCSL Contacts: Jon Jukuri (labor), Joan Wodiska (education)

DYK? Sunday marked the 25th anniversary of the first terror attack on the World Trade Center. The attack, which killed six people and injured more than a thousand others, involved Islamic terrorists who blew up a 1,200 pound bomb in an underground parking garage in an attempt to collapse the twin towers.

White House Meeting on School Safety

In the wake of the Parkland, Fla., school shooting, last week President Donald Trump, Vice President Mike Pence, and Secretary of Education, Betsy DeVos met with more than 40 survivors, teachers and community members to discuss strategies to reduce school violence. In the meeting, the president expressed his support to improve federal background checks on gun purchases, equip school staff with firearms and explore other avenues to improve school safety. The president also issued a [Presidential Memorandum](#) directing the U.S. Department of Justice to "expeditiously as possible, to propose for notice and comment a rule banning all devices that turn legal weapons into machineguns." An official [federal regulatory review](#) of the "bump stock" rule began last fall, following the deadly shooting in Las Vegas, Nev. Over 100,000 comments were received and are being reviewed by the Justice Department.

NCSL Contact: [Joan Wodiska](#)

Supreme Court to Hear Online Sales Tax Case in April

On Friday, the Supreme Court set the argument date for the *South Dakota v. Wayfair* remote sales tax case for Tuesday, April 17. If the court rules in the South Dakota's favor, every state could be granted the authority to require remote businesses to collect and remit sales taxes on transactions made by their state's residents. If South Dakota loses, the long-term viability of the sales tax as a state revenue stream for states may be in jeopardy. For more, visit [NCSL's page](#) that summarizes the case as well as the history of remote sales tax collection issue in the states.

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While the president had set March 5 as the deadline for Deferred Action for Childhood Arrivals (DACA) recipients, at which point he would terminate the program, federal district judges in California and New York have delayed that possibility, thus allowing more time for negotiators to work out a deal. On Monday morning, the U.S. Supreme Court denied the administration's request to rule on the legality of DACA in advance of a U.S. Circuit Court decision. In a one sentence denial of the administration's request, the Court stated, "[I]t is assumed that the Court of Appeals will proceed expeditiously to decide this case." The Court of Appeals is expected to rule on the injunction as early as April.

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DYK? Since 1870, when Senator [Hiram Revels](#) of Mississippi and Representative [Joseph Rainey](#) of South Carolina became the first African Americans to serve in Congress, a total of 153 African Americans have served as U.S. Representatives, Delegates, or Senators.

Congressional Appropriators Race to March 23 Deadline

The Bipartisan Budget Act of 2018 included the fifth continuing resolution (CR) for fiscal year (FY) 2018 and set new spending caps on how much the government can spend through FY 2019. Now, lawmakers have just four weeks to craft the 12 annual appropriations bills, or one combined omnibus bill, before March 23 when the government is at risk of another government shutdown. To make things even more complicated, the budget deal also had several informal agreements that were agreed to, but did not give specifics. This includes yearly funding of:

- \$3 billion to "fight against the opioid and mental health crises."
- \$10 billion for infrastructure.
- \$2 billion to "rebuild and improve" veteran's health care.
- \$2 billion for "college affordability."
- \$2.9 billion for the child care development block grant.
- \$1 billion for the National Institutes of Health.

Now, appropriators will have to translate how this funding will look while the party leaders act as chaperones to make sure everybody complies with the deal's stipulations. This also may be the last major legislative vehicle of the year, so you can bet lawmakers are rushing to get their priority bills added to the omnibus. The budget deal reached earlier this month also created a joint committee that is specifically tasked with "advancing reforms to the budget and appropriations process." Last week, House leaders made their selections on who would try to tackle this monstrous task. Speaker Paul Ryan chose Steve Womack (R-Ark.), Rob Woodall (R-Ga.), Jodey Arrington (R-Texas), and Pete Sessions (R-Texas), while Minority Leader Nancy Pelosi chose Nita Lowery (D-N.Y.), Lucille Roybal-Allard (D-Calif.), Derek Kilmer (D-Wash.) and John Yarmuth (D-Ky.). Senate leaders have yet to name their eight members to the reform committee.

NCSL Contacts: [Max Behlke](#), [Jake Lestock](#)

DYK? On Feb. 25, 1863, 155 years ago, President Abraham Lincoln signed the National Currency Act (later called the "National Bank Act"), which was the first attempt to establish a central bank following the failures of the First and Second Banks of the United States. The law aim to address the hodge-podge of local banks, local money, and conflicting regulatory standards that existed before the Civil War. The act allowed for the creation of national banks, planned for a national currency, and gave the federal government the ability to sell war bonds and securities.

House Republicans Signal Willingness to Negotiate with Senate on Banking Reform Measures

House Financial Services Committee Chair, Jeb Hensarling (R-Texas), appears to be open to negotiations with the Senate on Dodd-Frank rollback measures. Hensarling, who has a steady track record of wanting to wholly dismantle Dodd-Frank, now seems to be open to more moderate reforms in a strategic attempt to get legislation to the president's desk.

Hensarling's original banking reform legislation, the Financial CHOICE Act of 2017, would have removed significant portions of Dodd-Frank. His new strategy consists of multiple individual bills amounting to an a la carte offering of banking reform measures. House Republicans are hoping that this strategy is more palatable to moderate senators than the sweeping Financial CHOICE Act, which many deemed D.O.A. in the Senate last year after it passed the House.

In his attempt to work with the Senate, Hensarling seems willing to ease up on tough reform proposals designed to slash the Consumer Financial Protection Bureau—an agency that has proven to be a political lightning rod since its Dodd-Frank inception in 2010. Bipartisan policies that seem to be on the table in both chambers include relaxing regulatory oversight of credit rating agencies and increasing capital holdings thresholds for small and mid-sized banks that currently require heightened scrutiny under Dodd-Frank.

These latest attempts to move bi-partisan banking reform legislation come at the chagrin of some Democrats who feel that such measures would amount to taking a step back after progress made in the post-Great Recession era. If the House and Senate can successfully negotiate the legislation, the president has signaled ardent support for legislation that rolls-back Dodd-Frank in any form.

NCSL Contact: [Ethan Wilson](#)

Also of Note...

- [Governors to Washington: Stop dithering on guns](#) — POLITICO

State leaders from both parties implored federal lawmakers this weekend to listen to their states' examples for responsible firearm legislation after the school shooting in Parkland, Fla., increasingly exasperated with the slow pace of debate and halting progress in the nation's capital.

- [Trump's personal pilot 'in the mix' to lead the Federal Aviation Administration](#) – Washington Post

President Trump's personal pilot is "in the mix" to lead the Federal Aviation Administration, a White House official confirmed Sunday night.

- [After testy call with Trump over border wall, Mexican president shelves plan to visit White House](#) – Washington Post

Tentative plans for Mexican President Enrique Peña Nieto to make his first visit to the White House to meet with President Trump were scuttled this week after a testy call between the two leaders ended in an impasse over Trump's promised border wall, according to U.S. and Mexican officials.

- [California Democratic Party doesn't endorse Feinstein re-election bid](#) – Fox News

The California Democratic Party will not endorse Sen. Dianne Feinstein's re-election bid this year, with delegates at the party's annual convention giving the majority of votes to her top primary challenger, progressive State Sen. Kevin de Leon.

- [Read the Democratic rebuttal to the Nunes memo, annotated](#) – Washington Post

[Read the Feb. 12, 2018 Capitol-to-Capitol!](#)

Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this [very short survey!](#)

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol to Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

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Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the policy directives and resolutions adopted during NCSL's Legislative Summit.



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Sent: Tuesday, February 27, 2018 10:31 AM

To: Myers, Marisa

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NATIONAL CONFERENCE of STATE LEGISLATURES



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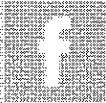
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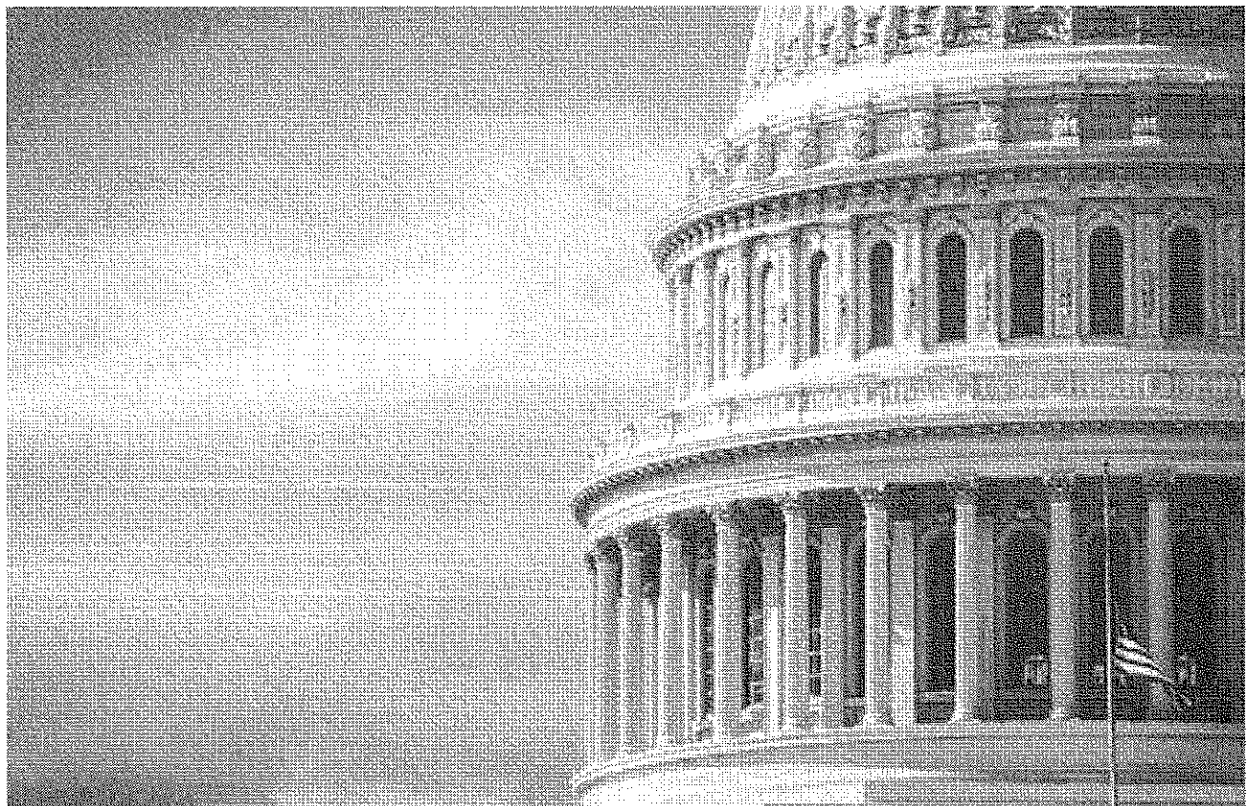
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NATIONAL CONFERENCE of STATE LEGISLATURES



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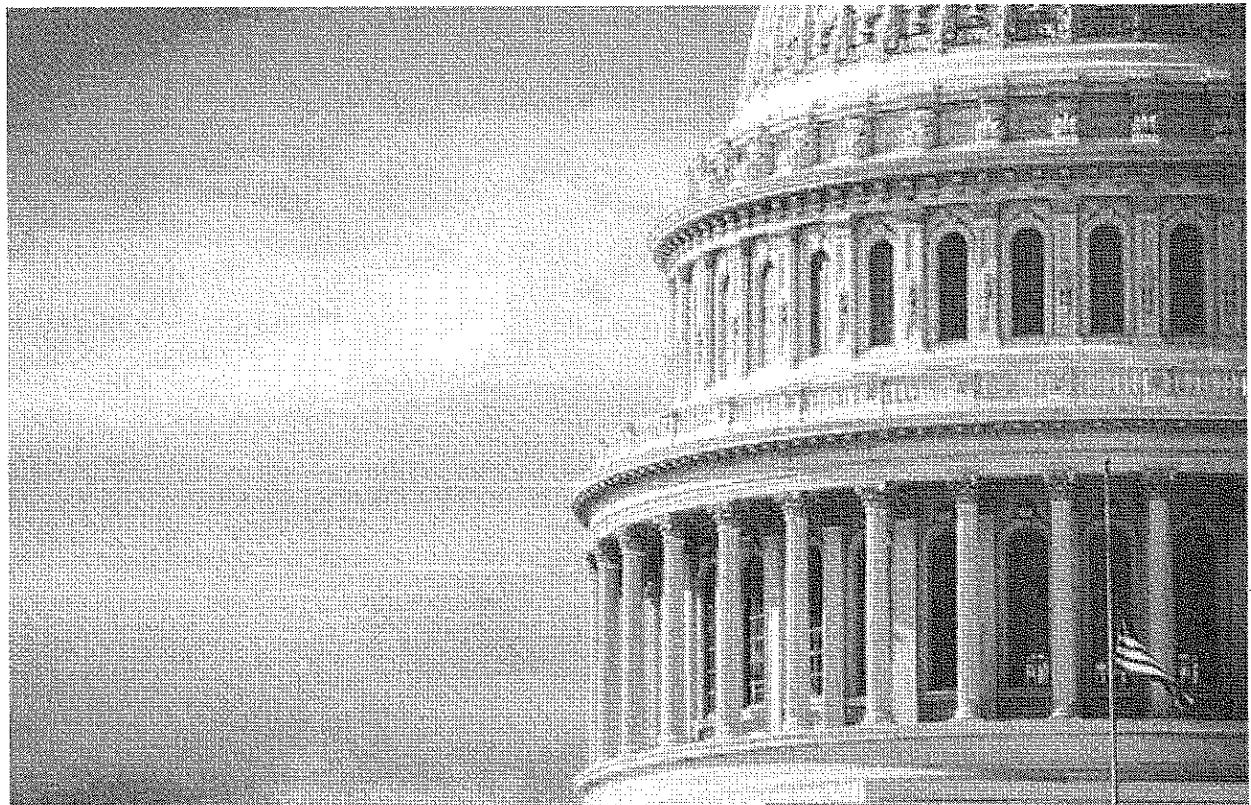
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7700 East First Place, Denver, CO 80230

From: Max.Behlke@ncsl.org

Sent: Tuesday, February 27, 2018 10:31 AM

To: Myers, Marisa

Subject: Cap to Cap: This Week: Gun Control and Remembering the Rev. Billy Graham



CapitoltoCapitol

NATIONAL CONFERENCE of STATE LEGISLATURES



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TOP NEWS Feb. 27, 2018

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The New York Times

It is not just in Florida, where the mass shooting at a high school is prompting lawmakers to take up gun control legislation. The same thing is happening across the country, from Washington to Vermont.

[NCSL Blog post on carrying firearms in K-12 schools.](#)

Supreme Court to hear online tax case April 17

Bloomberg

The U.S. Supreme Court will soon hear a long-simmering challenge about states' taxing authority over online retailers. And states should have the high court's answer by the start of summer. **NCSL brief cited.**

[NCSL resources on remote sales tax collection.](#)

What the Supreme Court's ruling means for DACA and 'Dreamers'

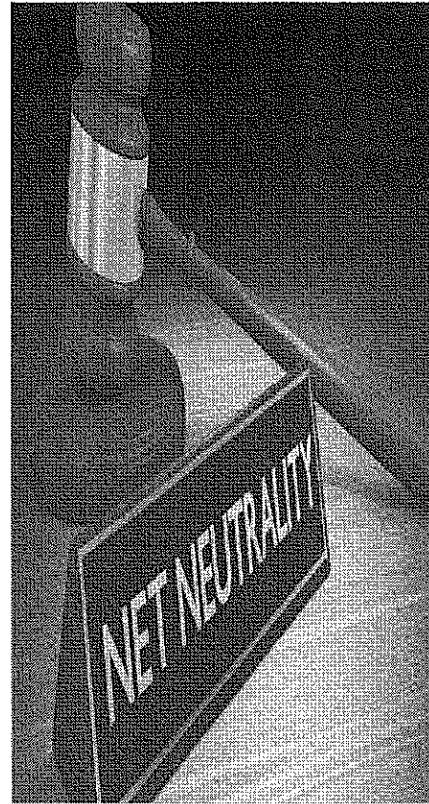
USA TODAY

By refusing to hear a California case, the high court ensured that DACA will survive at least through the fall, giving DACA enrollees a temporary reprieve from deportation and Congress more time to craft a permanent solution for them.

[NCSL resources on DACA.](#)

Iowa lawmakers move to allow health plans that skirt Obamacare rules

The Des Moines Register



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Net neutrality legislation in the states

Net neutrality legislation has been introduced in over half of the states, largely in response to the Federal Communications Commission Restoring Internet Freedom Order.

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2018 legislative races by state and chamber

The Iowa Farm Bureau Federation could offer health insurance plans that don't comply with the federal Affordable Care Act under legislation advancing in the Iowa Legislature.

New Jersey lawmakers: Let inmates vote from prison

NJ.com

State lawmakers on Monday announced legislation that would return voting rights to nearly 100,000 people locked up in prison or serving parole or probation.

[NCSL resources on felon voting rights.](#)

Feds provide Connecticut schools money for new students from Puerto Rico

CT Mirror

Connecticut schools scrambled to accommodate the new arrivals — most of them non-English speakers — without additional resources from a cash-strapped state government.

Webinar March 9: Fiscal 50 - How does your state rank?

Price of democracy: Splitting the bill for elections



Gorsuch silent during SCOTUS union dues oral argument

If there ever was a case where the vote of only one Justice is likely to matter it is *Janus v. American Federation of State, County and Municipal Employees*. All attention was focused on Justice Neal Gorsuch this morning as the Supreme Court held oral argument in this case. And he was...silent.



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Washington: 202-624-5400

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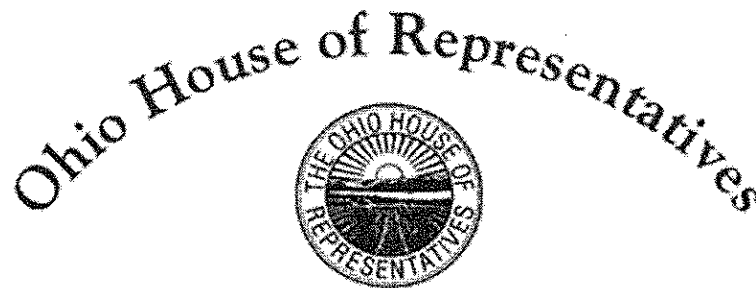
7700 East First Place, Denver, CO 80230

From: Paretti, Dominic
Sent: Tuesday, February 27, 2018 5:05 PM
To: House_All
Subject: FW: Request for Co-Sponsorship – Paid Family and Medical Leave

****REMINDER-DEADLINE TO CO SPONSOR IS MARCH 9, 2018 at 4PM**

Dominic Paretti
Legislative Aide to Representative Boyd
Ohio House District 09
614-644-5079

From: Paretti, Dominic
Sent: Monday, February 05, 2018 5:01 PM
To: House_All <House_All@ohiohouse.gov>
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave



MEMORANDUM

TO: All House Members
FROM: Representative Janine Boyd and Representative Kristin Boggs
DATE: February 5, 2018
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

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Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

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If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



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State Representative, Ohio House District 09

Kristin Boggs

Kristin Boggs

State Representative, Ohio House District 18

From: Fedor, Teresa
Sent: Tuesday, February 27, 2018 9:34 PM
To: Paretti, Dominic
CC: House_All
Subject: Re: Request for Co-Sponsorship – Paid Family and Medical Leave

Yes

Sent from my iPhone

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Sent: Friday, March 2, 2018 8:50 AM
To: Westlake, Libby
Subject: E-Clips for 3/2/2018

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3/2/2018



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Sent: Monday, March 5, 2018 11:11 AM
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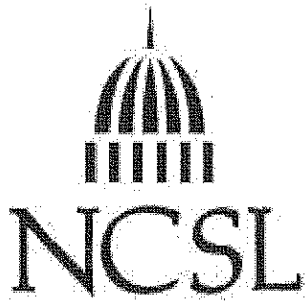
Kristin Boggs
State Representative, Ohio House District 18

From: Max.Behlke@ncsl.org

Sent: Monday, March 5, 2018 4:32 PM

To: Myers, Marisa

Subject: Cap to Cap: Trump: New NAFTA Would Prevent Proposed Tariffs



CapitoltoCapitol

NATIONAL CONFERENCE OF STATE LEGISLATURES



Mar. 5, 2018

In This Issue:

Trump: New NAFTA Would Prevent Proposed Tariffs

Seventh round of the North American Free Trade Agreement (NAFTA) Renegotiations Wrap up Today This Week on Capitol Hill

Roadblock to 2018 Infrastructure Bill?

Commerce Committees Announce Broad Telecom Package

Federal Reserve Chair Jerome Powell Testifies before Congress

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NCSL Files Amicus Brief in South Dakota v. Wayfair Sales Tax Case

Opioids Crisis Garners Further Federal Attention

Also of Note...

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The U.S. has experimented with steel tariffs relatively recently. In 2002, President George W. Bush imposed sweeping tariffs on steel imports but dropped them in 2003. The tariffs raised the cost of steel by 3 percent and a 2003 study by the research firm Trade Partnership Worldwide estimated that the higher steel prices, caused chiefly by the tariffs, cost 200,000 steel-consuming jobs in 2003, largely in manufacturing.

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7700 East First Place, Denver, CO 80230

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Sent: Monday, March 5, 2018 4:32 PM
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NATIONAL CONFERENCE *of* STATE LEGISLATURES



Mar. 5, 2018

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Seventh round of the North American Free Trade Agreement (NAFTA) Renegotiations Wrap up Today

Representatives from Mexico, Canada and the U.S. convened over the past week for the seventh round of NAFTA negotiations in Mexico City.

Later today, the seventh-round negotiations are scheduled to conclude with a meeting among the U.S. Trade Representative Robert Lighthizer, Canadian Foreign Minister Chrystia Freeland and Mexican Economy Minister Ildefonso Guajardo. The three top trade officials from the NAFTA countries are expected to hold a press conference after the formal round of negotiations are completed.

Last week, Trump announced plans to impose tariffs on steel (25 percent) and aluminum (10 percent) to protect national security interests. However, Trump has not specified whether he will grant exemptions to the tariffs for key allies and vital trading partners. An eighth round of NAFTA negotiations in Washington, D.C., is expected to be held in early April.

NCSL Contacts: Jon Jukuri

This Week on Capitol Hill

The Senate is turning to banking reform as efforts to pass gun control legislation appear to have stalled. The financial legislation, which will provide relief to small financial institutions and community banks, would be the first rewrite of the Dodd-Frank reform bill, legislation enacted nearly eight years ago in wake of the financial crisis. The legislation is expected to consume most of the chamber's floor time this week.

During its brief sessions on Monday and Tuesday last week, the House passed a bill to make it easier for victims and prosecutors to sue websites linked to sex trafficking. This week, the House is expected to vote on two energy and environment bills: the Blocking Regulatory Interference from Closing Kilns (BRICK) Act and the Satisfying Energy Needs and Saving the Environment (SENSE) Act. The BRICK Act would change certain Environmental Protection Agency regulations to benefit the brick and structural clay ceramics manufacturing industries. The SENSE Act would exempt certain power plants, which burn coal refuse, from parts of a 2012 air pollution rule. The House is expected to vote on the bills on Wednesday and Thursday.

The House is also expected to vote on the Comprehensive Regulatory Review Act on Tuesday, which is aimed at eliminating outdated or unnecessary regulations. The bill would require the audit of financial regulations to be completed every seven years, instead of every 10, and would expand the number of federal financial agencies the review requirements apply to.

DYK? Until the adoption of the 20th Amendment to the U.S. Constitution in 1933, U.S. presidents were inaugurated on March 4. However, the first president, George Washington, was not inaugurated until April 30. Although Congress had scheduled the first inauguration for March 4, 1789, they were unable to count the electoral ballots as early as anticipated.

Roadblock to 2018 Infrastructure Bill?

Last week, Assistant Majority Leader, Senator John Cornyn (R-Texas) conveyed doubt that a large infrastructure package would pass Congress by the end of the year because of the large number of other priorities it must complete. While last month's budget deal calls for a \$10 billion boost to infrastructure funding for both FY 2018 and FY 2019, it remains unclear how such funding will be allocated with broadband, surface transportation, and clean and safe drinking water among a bevy of potential options.

While the funding in the budget deal is needed given the state of the nation's infrastructure, it is far from Trump's proposed \$1.5 trillion infrastructure plan. Senator Tom Carper (D-Del.), the ranking member of the Senate Environment and Public Works Committee, responded to Cornyn's remarks by saying, "I hope he's wrong. This administration, the president has talked so much about infrastructure, transportation, broadband deployment, water, sewer. If we can't figure out a path forward on this, shame on the president, shame on the administration, shame on the Congress."

Although a large infrastructure package may face a difficult road to passage, Congress still anticipates passing two other main infrastructure bills—a full four-year reauthorization of the Federal Aviation Administration (airports and drones) and a two-year reauthorization of the Water Resources Development Act (ports, harbors, inland waterways, and clean and safe drinking water).

NCSL Contacts: [Ben Husch](#), [Kristen Hildreth](#)

Commerce Committees Announce Broad Telecom Package

Lawmakers on both the House and Senate Commerce committees have reached a bipartisan deal on a broad package of telecom provisions that will likely be bundled in this month's omnibus bill if a standalone package is not passed beforehand. The deal includes elements of the House's Federal Communications Commission (FCC) reauthorization package, which would provide the agency with more than \$330 million annually in FY 2019 and FY 2020, and includes key provisions from the Senate's Mobile Now spectrum bill. The Mobile Now Act provisions include allowing the FCC to hold upfront spectrum auction bids later this year with the U.S. Treasury.

In a joint statement, House and Senate committee leaders, Representative Greg Walden (R-Ore.), Representative Frank Pallone (D-N.J.), Senator John Thune (R-S.D.) and Senator Bill Nelson (D-Fla.) said the "bipartisan, bicameral product puts consumers first and solidifies the nation's critical telecommunications infrastructure, giving the U.S. a global edge" in the race to develop fifth-generation, or 5G, wireless networks "and in improving internet services across the country."

The legislation, [Ray Baum's Act \(H.R. 4986\)](#), will first be voted on in the House tomorrow, March 6, which is said to be a demonstration vote to congressional leadership that including the legislation in the omnibus bill will not threaten the package's chances of passage.

NCSL Contacts: [Danielle Dean](#)

Federal Reserve Chair Jerome Powell Testifies before Congress

Last week, Fed Chair Jerome Powell appeared before the House and Senate [testifying](#) on the Federal Reserve's semiannual [Monetary Policy Report](#). In his first appearance before Congress as one of the nation's top

financial regulators, Powell commented on current economic conditions, addressing hot topics such as inflation, interest rates and the Fed's years-long accommodative monetary policies. Congressional members also peppered Powell with questions on myriad issues ranging from the new tax law and pending banking reform legislation to lending practices and consumer protection. [View the full Senate testimony.](#)

During his testimony, Powell recognized the Fed's congressional mandate of promoting both maximum employment and stable prices—economic dynamics that tend to operate inversely, especially during times of relatively swift economic growth. Powell reported a generally favorable U.S. economic outlook, citing current job gains, economic growth and unemployment (4.1 percent) numbers. He went on to note that the Fed expects the inflation rate to tick upward, moving closer to the agency's target rate of 2 percent.

Questions remain as to the full cumulative effects of the recent tax legislation combined with historically low unemployment, high labor demand and increasing wages. With more money in the economy and wages on the rise, some believe that inflation will rise at a higher pace than anticipated by the Fed. For now, it appears that the Fed will proceed with at least three incremental interest rate hikes this year, with a fourth possible.

NCSL Contact: [Ethan Wilson](#)

DYK?

Before the 20th Amendment, presidential inaugurations were typically held on March 4. However, when the March 4 fell on a Sunday, as it did in 1821, 1849, 1877, and 1917, the ceremonies were held on March 5.

In 1877, March 4 fell on a Sunday, so on March 3, 1877, Rutherford B. Hayes became the first president to take the oath of office in the White House during a private ceremony. Hayes' also took the oath in a public ceremony on March 5.

On March 4, 1917, President Woodrow Wilson became the first person to break precedent and take the oath of office on Sunday, which was also the first time that the oath was taken privately in the President's Room at the Capitol.

Also, Inauguration day has only fallen on a Sunday three times since the passage of the 20th Amendment. In all three instances, the presidents were sworn in during a private ceremony on Sunday, followed by a public ceremony on Monday.

Senate to Debate Bill that Exempts Small Banks from Dodd-Frank

Last Thursday, Senate Majority Leader Mitch McConnell (R-Ky.) filed a cloture motion on S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, which is legislation intended to provide smaller banks relief from rules and regulations established under Dodd-Frank. Debate on the measure is expected to last most of the week in the chamber.

In general, the legislation raises the threshold at which a bank is deemed big enough to warrant tighter oversight from \$50 billion to \$250 billion. An initial procedural vote on the bill is expected on Tuesday, where the legislation will need 60 votes to pass, which it is expected to attain given that it is supported by moderate Democrats. More progressive members, however, have vocally opposed the bill. "The Senate—with the support of some Democrats—is set to start debate on a bill to roll back regulations on the same big banks we bailed out a few years ago. If we lose the final vote next week, we'll be paving the way for the next big crash," Senator Elizabeth Warren (D-Mass.) said in a tweet Friday.

Warren, considered a potential 2020 contender, rose through the Democratic Party's ranks by focusing on financial oversight.

NCSL Contact: [Ethan Wilson](#)

Carrying Firearms in K-12 Schools

In the wake of the tragic events in Parkland, Fla., federal and state laws governing firearms have been in the forefront of public attention. Last week, the president held a bipartisan meeting to discuss school violence and access to firearms. Trump has indicated support for school staff having access to firearms. This week, the president is expected to meet with "members of the video game industry" to discuss the relationships between violence and video gaming. [Read NCSL's Blog post on Carrying Firearms in K-12 Schools: A Policy Snapshot.](#) [NCSL Summary Carrying Firearms K-12 Schools](#)

NCSL Contact: [Joan Wodiska](#)

Court Hears Oral Argument in *Janus v. AFSCME* Case

Last week, the U.S. Supreme Court heard oral arguments in *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. The case considers the question of whether state laws that require the

collection of "fair-share" dues in unions violate the First Amendment. While Justice Neil Gorsuch is expected to be the swing vote, last week he remained silent during the oral arguments.

NCSL Contacts: Jon Jukuri (Labor); Joan Wodiska (Education)

DYK? Thirty-six hours after his inauguration on March 4, 1933, President Franklin D. Roosevelt declared a "bank holiday," which closed all U.S. banks and froze all financial transactions for a week to stem bank runs during the financial crisis of the Great Depression. Following the bank holiday, on March 9, Congress introduced, passed, and the president signed the Emergency Banking Relief Act, which allowed banks to reopen as soon as examiners had found them to be financially secure. Within three days, 5,000 banks had been given permission to be re-opened.

NCSL Files Amicus Brief in South Dakota v. Wayfair Sales Tax Case

On March 2, NCSL, along with the national organizations that represent state and local officials, filed an amicus brief in the U.S. Supreme Court for one of the most important state tax cases in decades: *South Dakota v. Wayfair*.

In this case, South Dakota is asking the Supreme Court to rule that states and local governments may require retailers with no in-state physical presence to collect sales tax. Ruling this way will require the Supreme Court to overturn long-standing precedent.

The amicus brief points out that states and local governments lost an estimated \$26 billion in sales tax revenue in 2015 because they were unable to collect owed taxes. The brief encourages the Court to overturn *Quill*. If the Court decides to replace the physical presence requirement, the brief asks the Court to adopt an economic nexus requirement—like the one the South Dakota legislature adopted.

NCSL Contacts: Max Behlke, Jake Lestock

Opioids Crisis Garners Further Federal Attention

This week, the U.S. Senate Health, Education, Labor and Pensions (HELP) Committee will hold a full hearing on the Opioid Crisis: Leadership and Innovation the States. Guest witnesses are Governors Larry Hogan (R) of Maryland and Kate Brown (D) of Oregon. Last week, the president hosted an opioid summit to discuss the administration's efforts to confront the opioid crisis.

NCSL Contacts: Haley Nicholson (Health); Susan Frederick (Criminal Justice); Joan Wodiska (Education)

Also of Note...

- **This Democrat Is Running for Congress—but Not Against Trump** – [The Atlantic](#)
 - **Ryan splits with Trump on trade as GOP lawmakers move to block planned tariffs** - [Washington Post](#)
- **Inside the \$9.1 Million Effort to Bolster Republican Running in Trump Country** – [The Wall Street Journal](#)
- **Mueller subpoenas witness for documents tied to Trump, campaign associates: report** – [The Hill](#)

[Read the Feb. 26, 2018 Capitol-to-Capitol.](#)

Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this [very short survey!](#)

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol to Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.



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7700 East First Place, Denver, CO 80230

From: Finlay, Serena
Sent: Thursday, March 8, 2018 1:57 PM
To: Paretti, Dominic
Subject: Deadline Tomorrow: Request for Co-Sponsorship – Paid Family and Medical Leave

REMINDER-DEADLINE TO CO SPONSOR IS TOMORROW AT 4PM



MEMORANDUM

TO: All House Members
FROM: Representative Janine Boyd and Representative Kristin Boggs
DATE: February 5, 2018
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25th anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.


The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



Janine Boyd
State Representative, Ohio House District 09



Kristin Boggs
State Representative, Ohio House District 18

From: Reed, Bob
Sent: Wednesday, March 14, 2018 11:19 AM
To: Myers, Marisa
Subject: Fwd: Outline of School Safety - Bill Draft
Attachments: L_132_2358.pdf; ATT00001.htm

Begin forwarded message:

From: "Reed, Bob" <Bob.Reed@ohiohouse.gov>
Date: March 14, 2018 at 8:54:25 AM EDT
To: "'dmc@thesuccessgroup.com'" <dmc@thesuccessgroup.com>, "'executivedirector@ohiofirechiefs.org'" <executivedirector@ohiofirechiefs.org>, "'donna.harrass@oacp.org'" <donna.harrass@oacp.org>, "'jhogue@ohioschoolboards.org'" <jhogue@ohioschoolboards.org>, "'djohnson@oft-aft.org'" <djohnson@oft-aft.org>, "'Barbara@oasbo-ohio.org'" <Barbara@oasbo-ohio.org>, "'ash@basa-ohio.org'" <ash@basa-ohio.org>, "'Wilson, Erica'" <Erica.Wilson@ohioattorneygeneral.gov>, "'Devin.Babcock@education.ohio.gov'" <Devin.Babcock@education.ohio.gov>, 'Louis Tobin' <tobin@ohiopa.org>, "'jirvine@buckeyefirearms.org'" <jirvine@buckeyefirearms.org>, "Schuring, Kirk" <Kirk.Schuring@ohiohouse.gov>, "Zielinski, Justin" <Justin.Zielinski@ohiohouse.gov>, "'greg.hennecke@hylant.com'" <greg.hennecke@hylant.com>, 'David Cordonnier' <david@fitzgibbongroup.com>, Nick Keller <Nick.Keller@lsc.ohio.gov>, 'Jay Smith' <jaysmith@ohioschoolboards.org>, "'djfitzpatrick@dps.ohio.gov'" <djfitzpatrick@dps.ohio.gov>
Subject: Outline of School Safety - Bill Draft

Sorry for the additional email, but I thought it might save you all some time if you had the rough outline below describing what is in the bill draft and where you can find it in the bill.

L 132 2358 Bill Draft Outline